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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/723,095	11/26/2003	Qing Bai	10030711-1	1128
57299	7590	08/31/2006	EXAMINER	
AVAGO TECHNOLOGIES, LTD.			LAM, CATHY FONG FONG	
P.O. BOX 1920			ART UNIT	PAPER NUMBER
DENVER, CO 80201-1920			1775	

DATE MAILED: 08/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/723,095

Applicant(s)

BAI, QING

Examiner

Cathy Lam

Art Unit

1775

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17-20 and 22-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 17-20, 22-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

In view of the amendment filed on June 27, 2006, the previous objection, 112 and art rejections have been withdrawn. However, the pending claims continue to be unpatentable as following:

Specification

1. The disclosure is objected to because of the following informalities: on page 8, paragraph 0031 line 2 the term "dielectric" is believed as an error.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. Claim 17 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 17, the phrase "a second side having been pressed together" is indefinite and "a second side" lacks antecedent basis.

3. Claims 27, 29 and 34 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicant is required to show support of the limitation "hermeticity-increasing layer is not electrically conductive" from the original specification.

Claim Rejections - 35 USC § 102

4. Claims 17-18, 20, 23, 25-26, 28, 30, 32-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Matsuzaki et al (US 5142101).

Matsuzaki teaches an EM shielding gasket comprised of a resilient core material (12) and a metal mesh (14) (Fig. 1).

The metal mesh (14) is covering over the surface of the resilient core material (12) (col 3 L 8-10). The resilient core material (12) is a foam silicone rubber (col 5 L 26-28).

The EM shielding gasket is placed between a housing (1) and a closure (3), wherein the housing (1) has a gap (2) which opens for containing an electronic device (col 3 L 34-38 & Fig. 4).

The gasket is deformed elastically by pressure imposed onto the closure (3) (col 3 L 47-50).

The examiner is taking the position that the gap (3) within the housing and the closure resembles the chamber as claimed by applicant. The examiner also taking the position that the housing (1) and the closure (3) resemble the first substrate and the second substrate as claimed.

5. Claims 17-18, 20, 23, 25-26, 28, 30, 32-33 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Kalinoski et al (US 6096413).

Kalinoski teaches a gasket that is sealed between a first substrate and a second substrate (col 2 L 19-27).

The gasket is a compression molded gasket made from a flexible elastomeric material which is a polymeric resin material (col 4 L 16-36). The gasket can be made electrically conductive by coated with an electrically conductive outer layer over the elastomeric (core) material (col 5 L 1-5).

The conductive outer layer preferably is a conductive filled polyethylene or polyimide coating (col 5 L 51-56).

Kalinoski teaches that the gasket is a low closure force such that it deflects easily (col 6 L 16-20).

Claim Rejections - 35 USC § 103

6. Claims 17-20, 22-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuzaki et al (US 5142101) or Kalinoski et al (US 6096413).

Both Matsuzaki and Kalinoski teach a conductive gasket that is used to seal between two substrates. The prior art however do not teach a hermeticity-increasing layer or the second material that is non-electrically conductive, nor do the prior art teach using polyimide for the gasket (assuming applicant is referring to the core material). The prior art are silent about having a non-compliant spacer between the first and second substrates.

In view of Matsuzaki's teaching, an adhesive (607) is coated first coated over the resilient core (col 4 L 68-col 5 L 3, Fig. 10). Furthermore, both Matsuzaki and Kalinoski teach that the metal mesh or conductive coating may contain polyimide (either metallized polyimide fiber or metal filler impregnated polyimide resin) (Matsuzaki col 3 L 9-14; Kalinoski col 5 L 55-56).

In view of the prior art teachings, one skill in the art would choose a workable coating, either conductive or non-conductive to give a hermetical seal because both kind of sealants would perform the same job.

Furthermore, it would have been obvious to choose polyimide as the core layer because it would be more compatible with the conductive polyimide coating on the surface (Kalinowski col 5 L 57-61).

Regarding to the non-compliant spacer, the examiner is taking the position that one skill in the art would install any suitable device(s) to protect the electronic components in the chamber because the non-compliant spacers would prevent the substrates from "touching" or "collapsing" onto the electronic components.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cathy Lam whose telephone number is (571) 272-1538. The examiner can normally be reached on 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jennifer McNeil can be reached on (571) 272-1540. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Cathy Lam
Primary Examiner
Art Unit 1775

cfl
August 29, 2006